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Atty Dkt.: PC-1053

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Battaglini et al.
Appl. No. : 10/027,035
Filing Date : 12/27/2001
Art Unit : 3621
Examiner : Firmin Backer
Docket No. : PC-1053CIP
Customer No. : 23717
For : INTEGRATED TECHNOLOGY MONEY TRANSFER SYSTEM

DECLARATION UNDER 37 CFR 1.131

Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Michael Battaglini declares that he is a co-inventor, who on December 27, 2001 filed the above-identified application that is a Continuation In Part of Serial no.: 09/965,510 filed on September 26, 2001, which claims the benefit of priority to U.S. Provisional Patent Application Serial No. 60/235,782 filed September 26, 2000; that he conceived his invention in this country prior to August 25, 2000 (hereinafter referred to as the effective date), which was the filing date of U.S. Patent Application Publication 2004/0139019 to Cooper(the Cooper publication).

Michael Battaglini further declares that, with my coinventors, I conceived the Parent invention prior to the effective date of the Cooper publication and worked with due diligence with our attorney from prior to August 25, 2000, to the filing date of the parent provisional application on September 26, 2000.

Michael Battaglini further declares that I caused our attorney, at least as early as July 16, 2000, to start working on and preparing a patent application as evidenced by the facsimile copy to our attorney, Brian S. Steinberger, Esq., (top of pages evidences the date facsimile copy was sent) (Exhibit A); that I described in detail the basic features of the subject invention in a memorandum entitled CM Invention: Features and Claims, which is dated August 9, 2000(Exhibit B); that I studied, and conferred with my coinventors, relative to our invention's process and the differences from the prior art reported upon by our attorney as a result of a professional search; that I described the differences between the invention and the prior art in detailed memorandums as evidenced by eight pages of memorandums each dated on the bottom August 16, 2000 (Exhibit C); that I drafted a report on the CM Invention: Exclusive

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Distinguishing Features and Claims, that is dated on the bottom August 21, 2000 (Exhibit D), that I prepared a memorandum to Steve Battaglini regarding the "CM Emergency Cash System-Patent Application" on August 25, 2000 (Exhibit E); that I forwarded the reports and memorandums of the above Exhibits B-D that reference our invention' novel process to our patent attorney in a letter dated August 28, 2000 (Exhibit F); that I and my coinventor Stephen Battaglini talked with our attorney who was working on our patent application on August 31, 2000 as evidenced by phone records (Exhibit G); that I worked with my co-inventors on the invention process on September 13 and 14 and 17, 2000 as evidenced by my records; that I scheduled a meeting, as soon as he had the necessary time available, and met with our patent attorney on September 21, 2000 as evidenced by our attorney's daytime scheduler (Exhibit H); that I had phone calls with our attorney on September 22, 2000 as evidenced by phone records (Exhibit I); that our attorney sent by facsimile to myself and my co-inventor, Stephen Battaglini, a copy of the provisional application filing documents on September 22, 2000 (Exhibit J); that my coinventor, Stephen Battaglini, and myself signed the provisional filing documents on September 22 and 23, 2000 and sent copies of the signed documents back to our attorney on September 25, 2000 (See Facsimile cover sheet and attachments) (Exhibit K); and that our attorney filed the provisional application for the subject invention on September 26, 2000.

Michael Battaglini further declares that he does not know and does not believe that his invention has been made public more than one year prior to his provisional application being filed, and that he has never abandoned the invention.

Michael Battaglini further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,


Michael BattagliniDated: Aug. 16, 2007

Brian S. Steinberger
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